



TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/677,038
	Filing Date	9/30/03
	First Named Inventor	Michael Gordon
	Art Unit	
	Examiner Name	
	Attorney Docket No.	BWC-105US
Total Number of Pages in This Submission 8 + 7 refs.		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 (5 pgs.); 7 refs.
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual	Joshua L. Cohen	Registration No. (Attorney/Agent)	38,040
Signature			
Date	11/14/03		

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/677,038
Applicant: Michael Gordon and Wade Bernreuter
Filed: September 30, 2003
Title: INDIRECT WATER HEATER AND METHOD OF MANUFACTURING SAME
TC/A.U.:
Examiner:

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of all non-US related references are enclosed herewith.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

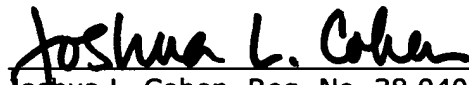
Reference FR 2469667, DE 3906715, and JP 57-49760 are not in the English language, but an English abstract thereof is attached to the copy of the reference submitted herewith.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application or before mailing of the first Official Action. No first Official Action has yet been received and it is presumed that none has yet been mailed. No

fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,


Joshua L. Cohen, Reg. No. 38,040
Attorney for Applicants

JHS/dhm

Enclosures: PTO Form 1449
7 references
Transmittal Form

Dated: November 14, 2003

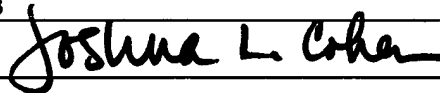
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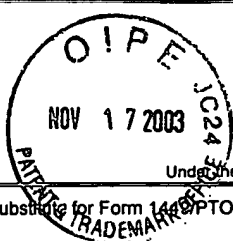
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 5

Complete if Known

Application Number 10/677,038

Filing Date September 30, 2003

First Named Inventor Michael Gordon

Art Unit

Examiner Name

Attorney Docket No. BWC-105US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-1,070,175	08/12/1913	Ponninghaus	entire document
		US-1,240,101	09/11/1917	Thompson	entire document
		US-1,255,835	02/05/1918	Shaug	entire document
		US-1,959,933	05/22/1934	Simsohn	entire document
		US-2,252,046	08/12/1941	Steele	entire document
		US-2,255,956	09/16/1941	Watt	entire document
		US-2,303,197	11/24/1942	Canfield	entire document
		US-2,327,339	08/24/1943	Chandler	entire document
		US-2,345,209	03/28/1944	Moore	entire document
		US-2,348,610	05/09/1944	Colby	entire document
		US-2,348,835	05/16/1944	Mueller	entire document
		US-2,359,547	10/03/1944	Colby	entire document
		US-2,373,731	04/17/1945	Wilson et al.	entire document
		US-2,399,985	05/07/1946	Chandler	entire document
		US-2,533,508	12/12/1950	Riu	entire document
		US-2,539,469	01/30/1951	Powers	entire document
		US-2,569,757	10/02/1951	Gubson	entire document
		US-2,642,046	06/16/1953	Alexander	entire document
		US-2,704,188	03/15/1955	Bergmann	entire document
		US-3,171,597	03/02/1965	Baier	entire document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		FR 2412807	07/20/1979	Baeckeroot	entire document	<input type="checkbox"/>
		FR 2469667 (English Abstract included)	05/22/1981	Amthor, Jr.	entire document	<input type="checkbox"/>
		DE 2430825	01/08/1976	Kunzel	entire document	<input type="checkbox"/>
		DE 3906715 A1 (English Abstract included)	09/06/1990	Rohner	entire document	<input type="checkbox"/>
		JP 57-49760 (English Abstract included)	03/23/1982	Toru	Entire document	<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature	Date Considered
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¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

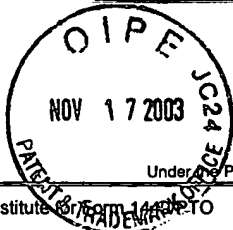
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⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 5

Complete if known

Application Number	10/677,038
Filing Date	September 30, 2003
First Named Inventor	Michael Gordon
Art Unit	
Examiner Name	
Attorney Docket No.	BWC-105US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-3,201,045	08/17/1965	Davidson et al.	entire document
		US-3,254,839	06/07/1966	McClanahan et al.	entire document
		US-3,341,122	09/12/1967	Whittell, Jr.	entire document
		US-3,492,461	01/27/1970	Willis Thompson Lawrence	entire document
		US-3,545,534	12/8/1970	Harold John Coles	entire document
		US-3,793,992	02/26/1974	Marquez	entire document
		US-3,828,847	08/13/1974	Stein	entire document
		US-3,882,693	05/13/1975	Donald E. Hiller	entire document
		US-3,896,992	07/29/1975	Borovina et al.	entire document
		US-3,958,755	05/25/1976	Cleer, Jr.	entire document
		US-4,030,540	06/21/1977	Carlo Roma	entire document
		US-4,037,785	07/26/1977	Madern	entire document
		US-4,052,000	10/04/1977	Honikman	entire document
		US-4,149,673	04/17/1979	Hapgood	entire document
		US-4,158,438	06/19/1979	Hapgood	entire document
		US-4,167,211	09/11/1979	Dieter Haller	entire document
		US-4,193,180	03/18/1980	Irving D. Press	entire document
		US-4,202,406	05/13/1980	Alfred J. Avery	entire document
		US-4,238,873	12/16/1980	Frank et al.	entire document
		US-4,253,446	03/03/1981	Müller	entire document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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Date Considered

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Application Number 10/677,038

Filing Date September 30, 2003

First Named Inventor Michael Gordon

Art Unit

Examiner Name

Attorney Docket No. BWC-105US

SHEET 3 of 5

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-4,267,826	05/19/1981	Hitt, Jr.	entire document
		US-4,273,160	06/16/1981	David C. Lowles	entire document
		US-4,282,861	08/11/1981	Roark	entire document
		US-4,296,799	10/27/1981	Steele	entire document
		US-4,309,982	01/12/1982	Oquidam	entire document
		US-4,328,791	05/11/1982	Henry J. Moore, Jr. et al.	entire document
		US-4,345,583	08/24/1982	Claude Morin	entire document
		US-4,353,410	10/12/1982	Pierre Godard et al.	entire document
		US-4,426,037	01/17/1984	Bernstein	entire document
		US-4,461,347	07/24/1984	Howard M. Layton et al.	entire document
		US-4,480,631	11/6/1984	H. Kristensen	entire document
		US-4,545,365	10/08/1985	Otto K. Wetzel, Jr.	entire document
		US-4,637,347	01/20/1987	Leonard Troy	entire document
		US-4,738,394	04/19/1988	Chester D. Ripka et al.	entire document
		US-4,821,682	04/18/1989	Larry G. Waters	entire document
		US-4,949,680	08/21/1990	Hemant D. Kale	entire document
		US-4,972,902	11/27/1990	Susuma Ninomiya	entire document
		US-5,037,510	08/06/1991	Nils Nygards	entire document
		US-5,081,696	01/14/1992	Beck	entire document
		US-5,136,985	08/11/1992	Krowech	entire document

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		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
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Application Number	10/677,038
Filing Date	September 30, 2003
First Named Inventor	Michael Gordon
Art Unit	
Examiner Name	
Attorney Docket No.	BWC-105US

SHEET 4 of 5

Attorney Docket No. BWC-105US

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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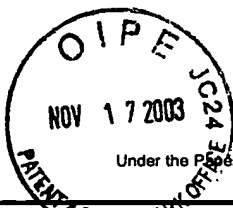
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number 10/677,038

Filing Date September 30, 2003

First Named Inventor Michael Gordon

Art Unit

Examiner Name

Attorney Docket No. BWC-105US

SHEET 5 of 5

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		DUNKIRK, Artesian Indirect Water Heater, catalog, Rev. 7/01	<input type="checkbox"/>
		KEVIN RAFFERTY Geo-Heat Center, "Domestic Hot Water Heating," article, September 2001, pp. 18-21, GHC BULLETIN	<input type="checkbox"/>
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Examiner Signature	Date Considered
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